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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/288,774	04/08/99	PIVOWAR	A PFTRP002

TM02/0615
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EXAMINER	
DELA TORRE, C	
ART UNIT	PAPER NUMBER
2173	

DATE MAILED:
06/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
09/288,774	Pivowar et al.
Examiner	**Art Unit**
Crescelle Dela Torre	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *three* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *May 14, 2001*

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideratio

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)☐ All b)☐ Some* c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15)☒ Notice of References Cited (PTO-892)

16)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). *16*

18)☐ Interview Summary (PTO-413) Paper No(s). _____

19)☐ Notice of Informal Patent Application (PTO-152)

20)☐ Other:

DETAILED ACTION

1. This action is responsive to communications: RCE Request and Preliminary Amendment, both filed on 5/14/01.

This action is non-final.

2. Claims 1-27 are pending in this application. Claims 1, 7, 11, 18, 20, and 22 are independent claims. In the Preliminary Amendment, filed on 5/14/01, claims 7, 11, 18, and 20 were amended.

3. The present title of the invention is "System and Method for Displaying Multiple Calendars on a Personal Digital Assistant" as originally filed.

Request for Continued Examination

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/14/01 has been entered.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson (U.S. patent 5,457,476) in view of Conmy et al. (U.S. patent 6,101,480).

As per claim 1, Jenson teaches the following subject matter:

a portable, hand-held housing with a top face, bottom face, and side wall therebetween for defining an interior space, at Fig. 2, and col. 5, lines 51-52;

an input device, with stylus 38, at Fig. 1, and col. 5, lines 33-35;

a display, at Figs. 1, 2, and col. 5, lines 48-50;

memory, at Fig. 1, and col. 4, lines 23-24, for storing a calendar including a plurality of scheduled matters, at Figs. 3a-13; and

a controller, at Fig. 1, and col. 4, lines 22-23, for depicting the calendar on the display, as at Figs. 3a-13.

Regarding claim 1, Jenson teaches the above aspects of applicant's invention, but does not specifically teach simultaneously depicting plural calendars on the display.

However, it is known in the art that multiple calendars can be simultaneously displayed. For instance, Conmy et al., hereinafter Conmy, teach an electronic calendar with group scheduling, with views that "list invitees and their calendar information" at Figs. 5-9, and col. 8, lines 8-65. Furthermore, Conmy teaches that a "further advantage of the present invention is the provision of remote access and mobile scheduling" at col. 11, lines 3-13.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to simultaneously depict plural calendars as taught in Conmy in the invention of Jenson because it helps a user identify possible scheduling conflicts.

With reference to claim 2, Conmy teaches that scheduled matters are depicted with each calendar, at Figs. 5-9, and col. 8, lines 8-65.

In addition, Jenson teaches dividing the calendar into increments of hours [claim 3] at Fig. 3a; days [claim 4] or weeks [claim 5], both at Fig. 11; as well as manipulating the calendars [claim 6] at col. 2, lines 40-47.

As per claim 7, Jenson teaches the following subject matter:

depicting at least one calendar, at Figs. 3a-13, on a display of a portable storage module, at Fig. 2;

depicting icons corresponding to time increments of hours, days, and weeks, at Figs. 3b, 11;

allowing selection of one of the icons, at col. 9, lines 41-56, and col. 10, lines 27-32;

dividing at least one calendar into the time increments corresponding to the selected icon, at Figs. 8, 11.

Regarding claim 7, Jenson teaches the above aspects but does not specifically teach the storage of various calendars in separate databases.

However, it is known in the art that various calendars can be stored in separate databases within a portable storage module. For instance, Conmy teaches user calendar files 210 in separate databases 200, at Fig. 1, and col. 3, line 45 to col. 4, line 29. In addition, Conmy teaches "mobile scheduling" at col. 11, lines 3-13, wherein mobile users may "create and respond to event notices, set up events, and track event status off-line" at col. 12, lines 35-39.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to store various calendars in the portable storage module because it allows a user to "see another user's calendar" at col. 12, line 50 of Conmy.

Jenson does not specifically teach that the icon is altered upon the plural calendars being displayed simultaneously [claim 8], wherein the selected icon is altered [claim 9] as a function of the number of calendars displayed [claim 10].

However, it is known in the art that icons can be emphasized in a visually distinct manner. For instance, Conmy teaches "shading/coloring or other graphical indications" to help "facilitate coordination of an event" at col. 8, lines 13-22.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to alter the selected icon as a function of the number of calendars that are displayed simultaneously because it provides visual feedback to the user of the current display state.

As per claim 11, Conmy teaches the following:

storing various calendars within a portable storage module in separate databases, with user calendar files 210 in databases 200, at Fig. 1, and col. 3, line 45 to col. 4, line 29, wherein the portable device is taught with "mobile scheduling" at col. 11, lines 3-13, where mobile users may "create and respond to event notices, set up events, and track event status off-line" at col. 12, lines 35-39;

providing a window which identifies each of the calendars, at Figs. 5-9;

allowing selection of the identified calendars, at col. 8, lines 8-65; and

simultaneously displaying all of the selected calendars, at Figs. 5-9.

Conmy teaches the above elements of claim 11, but does not specifically teach that the display is situated on a top face of the portable storage module.

However, it is known in the art that portable electronic devices can contain a user's calendar. For instance, Jenson teaches a computerized organizer, at Fig. 2, that includes a scheduler. In addition, Jenson teaches that the display is situated on a top face of the portable device, as illustrated at Fig. 2.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the interface of Conmy on a portable device as in Jenson because it provides the user with calendar functions on a handheld device.

In addition, Conmy teaches that selected calendars are depicted simultaneously [claim 12] and may be replaced with another calendar [claim 13] at Figs. 5-9, and col. 8, lines 8-65; selecting an icon [claim 15] at col. 8, lines 51-53; and giving each selected calendar a calendar heading [claim 17] at Figs. 5-9.

Jenson teaches check boxes [claim 14] 102, at Fig. 9, and col. 9, lines 60-61, and a pull-down menu [claim 16] at Fig. 10, and col. 10, lines 20-21.

Regarding claim 18, Jenson teaches depicting a calendar on a display of a portable data storage module, at Figs. 2-13, wherein the calendar is divided into sections corresponding to time increments and depicting scheduled matters in the sections, as illustrated at Figs. 8, 11-13; and altering a size of the sections as a function of the number of days simultaneously depicted, as at Figs. 7, 8. In addition, Jenson teaches that the display is situated on a top face of the portable device, as illustrated at Fig. 2.

As to claim 18, Jenson teaches the above aspects of applicant's invention, but does not specifically teach storing various calendars in separate databases nor simultaneously depicting the plural calendars on the display.

However, it is known in the art that multiple calendars can be stored in separate databases and simultaneously displayed. For instance, Conmy teaches user calendar files 210 in separate databases 200, at Fig. 1, and col. 3, line 45 to col. 4, line 29. In addition, Conmy teaches "mobile scheduling" at col. 11, lines 3-13, wherein mobile users may "create and respond to event notices, set up events, and track event status off-line" at col. 12, lines 35-39. Conmy also shows the simultaneous display of "invitees and their calendar information" at Figs. 5-9.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to store and simultaneously depict plural calendars as taught in Conmy in the invention of Jenson because it helps a user identify possible scheduling conflicts.

In reference to claim 19, Jenson teaches that the section size is inversely proportional to the numbers of days depicted, at Figs. 7, 8.

As per claim 20, Jenson teaches depicting a calendar on a display of a portable data storage module, at Figs. 2-13, and allowing movement of the scheduled matter of the calendar, at col. 2, lines 48-57. In addition, Jenson teaches that the display is situated on a top face of the portable device, as illustrated at Fig. 2.

Jenson teaches the above aspects of claim 20, but does not specifically teach storing various calendars in separate databases nor simultaneously depicting the plural calendars on the display.

However, it is known in the art that multiple calendars can be stored in separate databases and simultaneously displayed. For instance, Conmy teaches user calendar files 210 in separate databases 200, at Fig. 1, and col. 3, line 45 to col. 4, line 29. In addition, Conmy teaches "mobile scheduling" at col. 11, lines 3-13, wherein mobile users may "create and respond to event notices, set up events, and track event status off-line" at col. 12, lines 35-39. Conmy also shows the simultaneous display of "invitees and their calendar information" at Figs. 5-9.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to store and simultaneously depict plural calendars as taught in Conmy in the invention of Jenson because it helps a user identify possible scheduling conflicts.

Regarding claim 21, Jenson teaches dragging the scheduled matter, at col. 2, lines 48-57.

As to claim 22, Conmy teaches the following:

providing plural calendar databases 200, at Fig. 1;

providing a common database, with profile storage unit 300, at Fig. 1, including plural identification data sets having attributes corresponding to the calendar database, at col. 4, lines 49-52;

displaying the calendars accordingly, at Figs. 5-9.

In addition, Conmy teaches "mobile scheduling" at col. 11, lines 3-13, wherein mobile users may "create and respond to event notices, set up events, and track event status off-line" at col. 12, lines 35-39. Conmy teaches the above elements of claim 22, but does not specifically teach that the display is situated on a top face of the portable storage module.

However, it is known in the art that portable electronic devices can contain a user's calendar. For instance, Jenson teaches a computerized organizer, at Fig. 2, that includes a scheduler. In addition, Jenson teaches that the display is situated on a top face of the portable device, as illustrated at Fig. 2.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the interface of Conmy on a portable device as in Jenson because it provides the user with calendar functions on a handheld device.

Conmy teaches an attribute that indicates selection of one of the calendars [claim 23] at Figs. 5-9, and col. 8, lines 8-65.

Jenson teaches a primary calendar [claim 24] at col. 11, lines -3.

As to claim 25, Jenson teaches read-only information, at Fig. 1.

As per claim 27, Conmy teaches manipulating the calendars at col. 8, lines 8-65, while Jenson also teaches calendar manipulation, at col. 2, lines 40-47.

8. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jenson (U.S. patent 5,457,476) and Conmy (U.S. patent 6,101,480) as applied to claim 22 above, and further in view of Mann et al. (U.S. patent 5,621,458).

As per claim 26, neither Jenson nor Conmy specifically teach a foreign calendar. However, it is known in the art that a custom calendar may include a "calendar of a foreign country". For instance, Mann et al., hereinafter Mann teaches the creation of a custom calendar, which may include a foreign calendar, at col. 3, lines 19 - 22.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a foreign calendar because it provides an additional way to modify the calendar interface.

Response to Arguments

9. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Examiner agrees that the combination of Jenson and Bauer does not disclose the claim limitations. Rather, the claims have been rejected in view of Jenson and Conmy, and further in view of Mann.

Regarding the Jenson reference, examiner agrees that Jenson displays only a single calendar. However, Jenson does not teach away from the display of plural calendars since the

display of Jenson allows for the "selection and display of multi-day views" at col. 9, lines 41-56 of a single calendar, at Fig. 8.

In addition, Conmy makes up for the missing elements in Jenson by teaching the storage of various calendars in separate databases, at Fig. 1, and the display of "invitees and their calendar information", at Figs. 5-9. Conmy also teaches "mobile scheduling" at col. 11, lines 3-13, wherein mobile users may "create and respond to event notices, set up events, and track event status off-line" at col. 12, lines 35-39.

For these reasons, applicant's claims remain rejected.

Responses

10. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 305-9731 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Inquiries

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crescelle dela Torre whose telephone number is (703) 305-9782. The examiner can normally be reached on Mondays-Thursdays from 8:30 am to 4:00 pm, and on alternating Fridays from 8:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at (703) 308-3116.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

C. dela Torre

CRESCELLE N. DELA TORRE
PRIMARY EXAMINER
6/13/01